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April 18, 2025

CM/ECF

The Honorable Evelyn Padin  
United States District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

Re: Parties' Joint Update and Request to Defer Scheduling Order Deadline to August 8  
Mendham Methodist Church, et al. v. Morris County, et al., Case No. 2:23-cv-2347

Dear Judge Padin:

Pursuant to section II.E.iii of Your Honor's General Pretrial and Trial Procedures, Plaintiffs the Mendham Methodist Church and the Zion Lutheran Church Long Valley ("Plaintiffs"), Defendants Morris County, Morris County Board of County Commissioners, Morris County Historic Preservation Trust Fund Review Board, and John Krickus ("Defendants"), and Intervenor-Defendant the Attorney General of New Jersey ("Intervenor," and, together with Plaintiffs and Defendants, the "Parties"), by and through their undersigned counsel, hereby jointly write to provide an update to the Court and request that the Court defer any deadline (as yet not set) to file a scheduling order to August 8, 2025.

In response to this Court's Opinion (ECF 72) and Order (ECF 73) granting Plaintiffs' motion for preliminary injunction (ECF 49), Defendants removed the enjoined Section 5.6.4 of the Morris County Open Space, Farmland, Floodplain Protection and Historic Preservation Trust Fund Rules and Regulations. Defendants simultaneously adopted a new Section 5.8.8, which makes religious institutions eligible for grant funds for certain purposes. On March 28, 2025, Plaintiffs submitted timely applications for grant funds for proposed projects that they understand would be eligible under the new Section 5.8.8.

In light of Plaintiffs' pending applications, the Parties are discussing the most expeditious path toward final resolution of this case. The Parties anticipate that all material facts will be clear following Defendants' decisions regarding grant awards for the current grant cycle, which will likely be announced by mid-July, 2025. The Parties therefore jointly request that the Court permit the Parties until August 8, 2025 to propose further case deadlines to the Court.

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Very truly yours,

/s/ Mark M. Roselli

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By: /s/ Michael L. Zuckerman

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